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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/802,614	03/17/2004	David M. Ziemann	14846-53

CONFIRMATION NO. 4784

## FORMALITIES LETTER



\*OC000000012844246\*

28221  
 GLEN E. BOOKS, ESQ.  
 LOWENSTEIN SANDLER PC  
 65 LIVINGSTON AVENUE  
 ROSELAND, NJ 07068

Date Mailed: 06/02/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

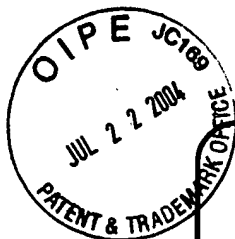
07/23/2004 WABDELK1 00000049 501358 10802614  
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Y.G.

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/802,614	
	Filing Date	March 17, 2004	
	First Named Inventor	Ziemann et al.	
	Art Unit	2171	
	Examiner Name	TBD	
Total Number of Pages in This Submission		Attorney Docket Number	14846-53

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<b>Declaration &amp; Power of Attorney (4 sheets - executed)</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	<b>Post Card</b>
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	JUSTIN D. PETRUZZELLI (REG. NO. 52,118) LOWENSTEIN SANDLER PC 65 LIVINGSTON AVENUE, ROSELAND, NJ 07068
Signature	
Date	JULY 20, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the			
Typed or printed name	KELLY BILLINGSLEY		
Signature		Date	JULY 20, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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<b>FEE TRANSMITTAL for FY 2003</b>		<b>Complete if Known</b>	
Effective 01/01/2003. Patent fees are subject to annual revision.		Application Number	10/802,614
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	March 17, 2004
		First Named Inventor	Ziemann et al.
		Examiner Name	TBD
		Art Unit	2171
		Attorney Docket No.	14846-53
<b>TOTAL AMOUNT OF PAYMENT (\$)</b>		<b>\$130.00</b>	

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																													
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unavoidable</td><td></td></tr><tr><td>1453</td><td>2453</td><td>1,300</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>2501</td><td>1,300</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>2502</td><td>470</td><td>235</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>2503</td><td>630</td><td>315</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>1460</td><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>1807</td><td>50</td><td>50</td><td>Processing fee under 37 CFR § 1.17(q)</td><td></td></tr><tr><td>1806</td><td>1806</td><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td></td></tr><tr><td>8021</td><td>8021</td><td>40</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>2809</td><td>750</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>2810</td><td>750</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>2801</td><td>750</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>1802</td><td>900</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="5">Other fee (specify)</td><td></td></tr><tr><td colspan="5">SUBTOTAL (3)</td><td>(\$) \$130.00</td></tr></tbody></table>				Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	1051	2051	130	65	Surcharge - late filing fee or oath	130.00	1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet		1053	1053	130	130	Non - English specification		1812	1812	2,520	2,520	For filing a request for <i>ex parte</i> reexamination		1804	1804	920*	920*	Requesting publication of SIR prior to Examiner action		1805	1805	1,840*	1,840*	Requesting publication of SIR after Examiner action		1251	2251	110	55	Extension for reply within first month		1252	2252	410	205	Extension for reply within second month		1253	2253	930	465	Extension for reply within third month		1254	2254	1,450	725	Extension for reply within fourth month		1255	2255	1,970	985	Extension for reply within fifth month		1401	2401	320	160	Notice of Appeal		1402	2402	320	160	Filing a brief in support of an appeal		1403	2403	280	140	Request for oral hearing		1451	2451	1,510	1,510	Petition to institute a public use proceeding		1452	2452	110	55	Petition to revive - unavoidable		1453	2453	1,300	650	Petition to revive - unintentional		1501	2501	1,300	650	Utility issue fee (or reissue)		1502	2502	470	235	Design issue fee		1503	2503	630	315	Plant issue fee		1460	1460	130	130	Petitions to the Commissioner		1807	1807	50	50	Processing fee under 37 CFR § 1.17(q)		1806	1806	180	180	Submission of Information Disclosure Statement		8021	8021	40	40	Recording each patent assignment per property (times number of properties)		1809	2809	750	375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	2810	750	375	For each additional invention to be examined (37 CFR § 1.129(b))		1801	2801	750	375	Request for Continued Examination (RCE)		1802	1802	900	900	Request for expedited examination of a design application		Other fee (specify)						SUBTOTAL (3)					(\$) \$130.00
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	JUSTIN D. PETRUZZELLI	Registration No. (Attorney/Agent)	52,118
Signature		Telephone	973-597-2500
		Date	JULY 20, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ZIEMANN ET AL.

Filed: March 17, 2004

Examiner: NYA

Group Art Unit: 2171

July 20, 2004

RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF NONPROVISIONAL APPLICATION

## Applicants have received a Notice To File Missing Parts Of Nonprovisional

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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Kelly Bullock  
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**Signature**

July 20, 2004

**Date of Signature**

Applicants' undersigned attorney may be reached by telephone at (973) 597-2500.

All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

  
\_\_\_\_\_  
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